

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

**WILLIE MUNN and
MARY ELIZA MUNN**

PLAINTIFF

v.

Civil No. 4:15-cv-04072

**CRISSY HUNT; CASEY PARKER;
JAILER DUSTIN WAKEFIELD;
JOE KUHN; ASHLEY VAILES; and
ARKANSAS PAROLE BOARD & GOVERNMENT**

DEFENDANTS

ORDER

Plaintiff Willie Munn proceeds in this matter *pro se* pursuant to 42 U.S.C. § 1983. Currently before the Court are Plaintiff's Motions to Appeal *in forma pauperis* (ECF No. 15, 18) and Plaintiff's Application to Proceed in this case *in forma pauperis* ("IFP"). ECF No. 6.

On October 27, 2015 this Court entered a Report and Recommendation of the Magistrate Judge dismissing Plaintiff's Complaint based on the accumulation of three strikes in cases filed in this district and the Eastern District of Arkansas. ECF No. 12. As a result, Plaintiff's IFP Application (ECF No. 6) was never addressed. On February 2, 2016 Plaintiff filed a Motion for Leave to Appeal. ECF No. 15. This Court withdrew the Report and Recommendation (ECF No. 12) on April 14, 2016. ECF No. 16. On April 18, 2016 Plaintiff filed a second Motion for Leave to Appeal. ECF No. 17. On May 11, 2016 Plaintiff filed a Motion to Withdraw Notice of Appeal. ECF No. 21. On May 20, 2016 the Eighth Circuit issued a mandate dismissing Plaintiff's appeal and assessing the \$505.00 appellate filing fee against Plaintiff. ECF No. 23.

Accordingly, Plaintiff's Motions to Appeal (ECF No. 15, 18) are **DENIED** as moot. Plaintiff's IFP Application (ECF No. 6) is **GRANTED**. Pursuant to the provisions of the Prison

Litigation Reform Act, the Clerk is **DIRECTED** to collect the \$350.00 filing fee and the \$505 appellate filing fee from Plaintiff.

DATED this 24th day of May 2016.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE